

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARVA SAMUEL,
Plaintiff,

v.

FITNESS INTERNATIONAL, LLC, et al.,
Defendants.

Case No. [18-cv-05818-VC](#)

**ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO
COMPEL**


Re: Dkt. No. 15

The motion to compel is granted as to Fitness International. Samuel agreed to arbitrate her ADA claim against Fitness International when she used a friend's membership to obtain a guest pass. The arbitration agreement contains a delegation clause, and Samuel has not shown that the clause is unconscionable. The motion is denied as to National Retail Properties. National Retail is not a party to the agreement between Samuel and Fitness International, and it has not established that it is entitled to enforce that agreement.

The case between Samuel and National Retail Properties is referred to ADR pursuant to General Order 56.

IT IS SO ORDERED.

Dated: 12/3/2018



VINCE CHHABRIA
United States District Judge